

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public services –T&A Department –Sri N. Rajakantham, Senior Accountant, District Treasury Warangal –Tap case –Acquitted – Implementation of orders of Hon'ble Supreme Court in Criminal Appeal 817 of 2006-Orders- Issued.

FINANCE (ADMIN.III) DEPARTMENT

G.O.Rt.No. 915

Dated: 25.03.2011
Read the following :-

1. Lr.Rc.No.36/Rct-WWL/91-S5, dt.11-6-1991 of D.G.,A.C.B. Hyderabad
- 2 .Pro. No. K2/20394/91 dated 25-06-1991 of DTA, Hyderabad.
3. Lr.Rc.No.36/Rct-WWL/91-S5, dt.20-11-1991of DG, ACB, Hyderabad
4. G.O. Rt. No.197 Fin & Plg (Fin.Wing.OPSC) Dept. dated 13-02-1992
5. Judgment pronounced on 11-11-1996 by Prl. Special Judge for SPE & ACB cases in CC 25/1992
6. Lr.Rc.No.36/RCT-WWL/1991S-5 dated 03-03-2000 of DG,ACB Hyderabad
7. Judgment pronounced on12-04-2006 by High Court of Andhra Pradesh, Hyderabad in C.A 124/2000
8. Proc. of Dy. Director D.T. Warangal A1/6436/1991 dated 23-06-2006
- 9.Judgement pronounced on 23-07-2009 by Hon'ble Supreme Court of India, New Delhi in Criminal Appeal No. 817/2006
10. Lr.Rc.No.36/RCT-WWL/1991, dt.06-11-2010 of DG,ACB,, Hyderabad
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ORDER :

In the reference 1st cited, the Director General, ACB, Hyderabad has reported that on allegations of corruption, Sri. N. Rajakantham, Senior Accountant, District Treasury Warangal was successfully trapped on 06-06-1991 in his office and the individual was suspended by Director of Treasuries and Accounts, Hyderabad in the reference 2nd cited

2. In the reference 3rd cited, the Director General, ACB, Hyderabad in his final report has recommended for prosecution of the Accused Officer, Sri. N.Rajakantham, Senior Accountant, District Treasury Warangal in a court of law.

3. After careful examination of the matter, Government have issued sanction for prosecution of Sri. N. Rajakantham, Senior Accountant, District Treasury Warangal vide reference 4th cited

4. In the reference 5th cited, Accused Officer Sri N. Rajakantham, Senior Accountant, District Treasury Warangal has been acquitted by the Special Judge for SPE & A.C.B. Cases, Hyderabad on 11-11-1996 in C.C.No.25/1992.

5. In the reference 6th cited a Criminal Appeal No. 124/2000 was filed in the A.P. High Court of Andhra Pradesh on the orders of acquittal of Sri N. Rajakantham Senior Accountant in C.C. No. 25/92.

6. In the reference 7th Cited Hon'ble High Court of A.P., pronounced judgment on the Criminal. Appeal No.124/2000 filed by State ACB on the acquittal judgment of Trial Court in CC.No.25/92 on 12th April, 2006, convicting Sri N. Rajakantham, formerly Senior Accountant, office of the District Treasury Officer, Warangal and sentenced him to undergo rigorous imprisonment for 6 months and to pay a fine of Rs.1,000/- for the offence u/s 7 of P.C. Act 1988 and in default to suffer 3 months simple imprisonment and also to undergo rigorous imprisonment for 1 year and to pay a fine of Rs.1,000/- for the offence u/s 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988 and in default to suffer 3 months simple imprisonment respectively and reversed the order of acquittal passed by the Special Court in ACB trap case.

7. In the reference 8th cited, on the advise of DG., ACB, Hyderabad the Deputy Director, District Treasury, Warangal has issued orders dismissing Sri. N. Rajakantham, Senior Accountant. Aggrieved by his conviction by the Hon'ble High Court, the Accused filed Criminal appeal No. 817/2006 before the Hon'ble Supreme Court of India.

8. In the reference 9th cited the Hon'ble Supreme Court of India while allowing the Crl. Appeal held as follows:

“We find from the evidence that the fact that there seemed to be substantial rancour between PW1 and appellant is supported by the evidence of PW1 himself. It appears to us that this was a crucial factor and was the reason for the concoction of a false story using the excuse of the repayment of the loan as a means of reaching the appellant on the vital day.

We accordingly, allow this appeal, set aside the judgment of the High Court and restore that of the trial court and order the appellant's acquittal. The appellant is on bail; his bail bonds shall stands discharged.”

9. In the reference 10th cited the D.G, ACB,A.P. Hyderabad has stated that the petitioner is entitled to all consequential benefits under Rule 54 (1),(2) of Fundamental Rules of A.P. Government as the individual was completely exonerated of the charges U/s 7 & 13(1)(d) r/w 13 (2) of the P.C.Act 1988 and also he was retired on 31-05-2007 on superannuation.

10. After careful examination of the matter, Government hereby order to drop further action against Sri N.Rajakantham, formerly Senior Accountant, office of the District Treasury Officer, Warangal on his acquittal in C.C. No. 817/2006 and allow all consequential benefits under Rule 54 (1),(2) of Fundamental Rules of A.P. Government.

11. The Director of Treasuries and Accounts, Hyderabad shall take necessary action accordingly and serve this order to the individual and send the duplicate copy with his acknowledgement to the Government, at the earlier.

12. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

The Individual (through DTA, Hyderabad)

Copy to : The DTA ,A.P .Hyderabad

The Director General, ACB,A.P., Hyderabad

The A.P. Vigilance Commission, Hyderabad

The District Treasury Officer, Warangal.

SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER